

Message Text

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ACTION IO-11

INFO OCT-01 EUR-12 ISO-00 AF-06 ARA-10 EA-09 NEA-10

CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05

PA-02 PRS-01 SP-02 SS-15 USIA-15 CPR-01 SY-05 USSS-00

FBIE-00 SCCT-01 FBOE-00 /122 W
----- 083966

P 070005Z APR 76

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC PRIORITY 6721

INFO AMCONSUL LENINGRAD PRIORITY

AMEMBASSY MOSCOW PRIORITY

UNCLAS SECTION 1 OF 2 USUN 1419

E.O. 11652: N/A

TAGS: PFOR, UN, UR, ASEC

SUBJECT: HOST COUNTRY COMMITTEE MEETING ON SOVIET SECURITY
COMPLAINTS.

1. COMMITTEE ON HOST COUNTRY RELATIONS MET TUESDAY MORNING
APRIL 6 AT SOVIET REQUEST, IN WAKE OF APRIL 2 SHOOTING
INCIDENT AT SOVIET MISSION. SOVIET DEPUTY PERM REP KHARMALOV
MADE HARD-HITTING STATEMENT ACCUSING US OF INACTIVITY AND
PERMISSIVENESS (PARTICULARLY ON QUESTION OF THREATENING
PLACARDS IN RECENT DEMONSTRATIONS). KHARMALOV EXPRESSED
SATISFACTION HOWEVER AT CONDEMNATION OF SHOOTING BY PRESIDENT
FORD. GOVERNOR SCRANTON THEN MADE STATEMENT QUOTE
MR. CHAIRMAN, THIS BEING MY FIRST APPEARANCE AT A MEETING OF
THIS COMMITTEE, I WISH TO EXTEND TO YOU, SIR, PERSONALLY
AND TO THE OTHER MEMBERS, MY SINCERE PERSONAL GREETINGS.
AND AFTER HEARING THE STATEMENT OF THE REPRESENTATIVE OF
THE SOVIET UNION I WOULD LIKE ESPECIALLY TO RENDER TO HIM
ONCE AGAIN OUR REITERATION OF SYMPATHY AND UNDERSTANDING
FOR THE UNFORTUNATE ACCIDENT THAT OCCURRED TO AMBASSADOR
AND MRS. MALIK AND WOULD HE PLEASE RELAY TO THEM OUR SINCERE
HOPE THAT THE RECOVERY, WHICH I GATHER IS COMING NOW QUITE
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WELL, WILL CONTINUE IN THAT STEAD AND HOW MUCH WE MISS

HIM HERE. LIKEWISE, I WOULD LIKE TO EXTEND NOT ONLY MY PERSONAL AND PARTICULAR REGRETS BUT THAT OF MY COUNTRY TO MR A. I. ZINOVATNY AND HIS WIFE AND HIS FAMILY INTO WHOSE APARTMENT ONE OF THE BULLETS, TO WHICH THE REPRESENTATIVE OF THE SOVIET UNION HAS REFERRED, WAS FIRED. I ALSO WISH TO ASSURE YOU THAT IT IS THE INTENTION OF THE UNITED STATES MISSION TO GIVE THE FULLEST COOPERATION TO THE COMMITTEE ON HOST COUNTRY RELATIONS IN ITS EFFORTS TO MAINTAIN MUTUALLY BENEFICIAL RELATIONSHIPS BETWEEN THE DIPLOMATIC COMMUNITY, ON THE ONE HAND, AND THE HOST GOVERNMENT AND HOST CITY, ON THE OTHER.

MR. CHAIRMAN, I WAS OUTRAGED BY THE SHOOTING INCIDENT WHICH TOOK PLACE EARLY LAST FRIDAY MORNING AT THE SOVIET MISSION. AS THE COMMITTEE IS NOW I THINK WELL AWARE, MY OWN FEELING WAS SHARED AT THE HIGHEST LEVELS OF MY GOVERNMENT. AS I HAVE EXPLAINED TO AMBASSADOR KHARLAMOV I HAVE DISCUSSED THIS NOT ONLY, PERSONALLY WITH THE PRESIDENT OF THE UNITED STATES BUT WITH THE ATTORNEY GENERAL, WITH THE SECRETARY OF STATE AND WITH A NUMBER OF OTHER HIGH AUTHORITIES. I WOULD LIKE TO READ AND HAVE ENTERED INTO THE RECORD, WITH YOUR PERMISSION, SIR, THE STATEMENT MADE BY THE PRESIDENT OF THE UNITED STATES LATER THAT SAME DAY:

"I AM DEEPLY DISTURBED BY THE FIRING INTO THE SOVIET MISSION TO THE UNITED NATIONS THAT TOOK PLACE LAST NIGHT. THIS IS THE LATEST OF A SERIES OF UNCIVILIZED ACTS CARRIED OUT BY EXTREMIST GROUPS WHO ARE ACTING IN A SPIRIT TOTALLY CONTRARY TO THE AMERICAN TRADITION. THE PEOPLE OF THIS NATION ARE REPELLED BY TERRORISM AND DEMAND THAT IT END. IT IS IRONIC THAT THOSE RESPONSIBLE FOR ENDANGERING LIVES, THREATENING CHILDREN AND HARASSING WOMEN CLAIM TO HAVE A CONCERN FOR HUMAN RIGHTS. MANIFESTLY THEY DO NOT. I HAVE INSTRUCTED THE DEPARTMENT OF JUSTICE TO DO EVERYTHING IT CAN IN COOPERATION WITH THE NEW YORK AUTHORITIES TO BRING THOSE WHO HAVE COMMITTED THESE VICIOUS ACTS TO JUSTICE. I AM CONFIDENT THAT THE NEW YORK AUTHORITIES WILL COOPERATE IN THESE EFFORTS TO THE FULLEST DEGREE."

THERE IS VERY LITTLE I CAN ADD, MR. CHAIRMAN, TO PRESIDENT UNCLASSIFIED

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FORD'S STATEMENT TO CONVEY THE SENSE OF OUTRAGE WHICH WAS NOT ONLY FELT AT EVERY LEVEL OF MY GOVERNMENT, BUT AS WELL BY ALL DECENT AMERICAN PEOPLE AT THIS MOST RECENT ACT OF UGLY VIOLENCE DIRECTED AT THE MISSION OF THE SOVIET UNION IN NEW YORK.

I WISH TO ASSURE THE REPRESENTATIVE OF THE SOVIET UNION -- AS WELL AS ALL MEMBERS OF THIS COMMITTEE -- THAT AN ENERGETIC

AND THOROUGHGOING INVESTIGATION HAS BEEN UNDERTAKEN BY THE APPROPRIATE AUTHORITIES TO APPREHEND THOSE WHO COMMITTED THE CRIME OF APRIL 2; BOTH FEDERAL AND NEW YORK CITY AUTHORITIES ARE CLOSELY WORKING TOGETHER IN THIS ENDEAVOR. INCIDENTALLY, I KNOW THAT FROM PERSONAL ATTENTION TO THE MATTER. NO STONE WILL BE LEFT UNTURNED IN OUR EFFORT -- AND IT IS A JOINT EFFORT -- TO BRING THIS INVESTIGATION TO A SUCCESSFUL CONCLUSION AND TO PROSECUTE THOSE THAT ARE RESPONSIBLE. AS THE REPRESENTATIVE OF THE SOVIET UNION IS AWARE, ADDITIONAL SECURITY PRECAUTIONS HAVE BEEN PUT INTO EFFECT BY FEDERAL AND LOCAL AUTHORITIES TO PREVENT A RECURRENCE OF THIS TYPE OF CRIME AND OTHER CRIMES AGAINST SOVIET MISSION PERSONNEL WHICH HAVE BEEN EITHER COMMITTED OR THREATENED IN RECENT WEEKS.

MOST REGRETTABLY, FEDERAL AND LOCAL LAW ENFORCEMENT AGENCIES AS YET HAVE NOT BEEN ABLE TO IDENTIFY THOSE WHO WERE RESPONSIBLE FOR THE FEBRUARY 27 SHOOTING INTO THE SOVIET HOUSING COMPLEX AT RIVERDALE DESPITE AN EXTENSIVE AND INTENSIVE INVESTIGATION WHICH IS STILL GOING ON. SIMILARLY, INVESTIGATIONS OF THE MARCH 8 BOMBING AT THE AEROFLOT OFFICE AND THE MARCH 25 PIPE BOMB INCIDENT AT THE AMTORG OFFICE CONTINUE.

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P 070005Z APR 76

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC PRIORITY 6722

INFO AMCONSUL LENINGRAD PRIORITY

AMEMBASSY MOSCOW PRIORITY

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LET ME, MR. CHAIRMAN, SET THE RECORD STRAIGHT ONCE AGAIN ON THE QUESTION OF OUR ALLEGED INACTIVITY AND PERMISSIVENESS. I CAN UNDERSTAND FULLY AND DEEPLY THE CONCERN AND APPREHENSIVENESS OF THE SOVIET MISSION AND ALL OTHER MISSIONS WHICH HAVE BEEN SUBJECTED TO SUCH SERIOUS CRIMINAL ACTS. THEY WANT, RIGHTLY, THOSE WHO ARE RESPONSIBLE FOR THESE ACTS AGAINST THEM TO BE ARRESTED, PROSECUTED, CONVICTED, AND PUNISHED WITHIN EXISTING LAW. WE FULLY SHARE THIS DESIRE. IN FACT, MR. CHAIRMAN, THERE HAVE BEEN NUMEROUS ARRESTS. JUST TWO DAYS AGO, FOR EXAMPLE, THE NEW YORK CITY POLICE ARRESTED THREE PERSONS ON CHARGES OF CRIMINAL MISCHIEF, HARASSMENT AND DISORDERLY CONDUCT DURING A DEMONSTRATION NEAR THE SOVIET MISSION. IN MARCH, THIRTEEN PERSONS WERE ARRESTED DURING THE SIT-IN AT THE OFFICES OF TASS UNDER PROVISIONS OF THE FEDERAL ACT FOR THE PROTECTION OF FOREIGN DIPLOMATS. WITH REGARD TO THE MARCH 30 DEMONSTRATION MENTIONED BY THE DISTINGUISHED REPRESENTATIVE OF THE SOVIET UNION, BOTH FEDERAL AND LOCAL AUTHORITIES ARE FULLY PREPARED TO MOVE SWIFTLY AGAINST PERSONS WHO MAKE ILLEGAL THREATS AGAINST SPECIFIC DIPLOMATS IN VIOLATION OF EITHER LOCAL OR FEDERAL LAW.

MR. CHAIRMAN, IT IS TRUE THAT AS IN OTHER AREAS OF CRIME,
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THERE HAVE BEEN FEWER PROSECUTIONS THAN ARRESTS, AND FEWER CONVICTIONS THAN PROSECUTIONS. THERE ARE MANY REASONS WHY THE RECORD FALLS SHORT OF THE GOAL WHICH WE ALL SEEK. OFTEN THE GUILTY SIMPLY CANNOT BE FOUND; SOMETIMES NO WITNESSES TO THE CRIME ARE AVAILABLE; IN SOME CASES DIPLOMATS WHO COULD ACT AS WITNESSES REFUSE TO TESTIFY; OR THE EVIDENCE FOR A VARIETY OF REASONS IS DEEMED INSUFFICIENT BY PROSECUTORS TO WARRANT ACTION. UNDER OUR SYSTEM, AS I THINK YOU ALL KNOW, NO MAN CAN BE CONVICTED UNLESS HIS GUILT CAN BE PROVEN BEYOND THE SHADOW OF A REASONABLE DOUBT IN A COURT OF LAW. BUT MR. CHAIRMAN, IT IS DOING NO SERVICE TO THE TRUTH TO ACCUSE US OF BEING PERMISSIVE AND LAX IN VIEW OF THE EXTRAORDINARY ATTENTION WHICH FOR MANY YEARS WE HAVE DEVOTED TO EVERY ASPECT OF THE PROBLEMS OF SECURITY OF DIPLOMATIC MISSIONS. IN OUR OWN OPEN SOCIETY PEOPLE MAY BECOME AWARE OF THE LOCATION OF DIPLOMATIC MISSIONS WITHOUT CONNIVANCE BY THE AUTHORITIES. WE WILL NEVER SUPPLY THE MEANS FOR FACILITATE THE TASK OF THOSE WHO WOULD HARASS DIPLOMATS. QUITE APART FROM OUR SOLEMN DUTIES UNDER INTERNATIONAL LAW AND OUR SIMPLE HUMAN OBLIGATIONS TOWARD OUR FELLOW MAN -- ESPECIALLY IN INSTANCES WHERE HUMAN LIFE IS INVOLVED -- OUR OWN NATIONAL INTERESTS OBVIOUSLY REQUIRE THAT WE GIVE OUR UTMOST CARE AND ATTENTION TO MATTERS OF THIS KIND. SO MR. CHAIRMAN, LET US HEAR THESE CHARGES OF LAXNESS, AND NEGLIGENCE, AND PERMISSIVENESS NO MORE. THERE IS A JOB TO BE DONE; WE HAVE BEEN STRIVING TO MEET OUR RESPONSIBI-

LITIES AND BELIEVE THAT WE HAVE DONE SO; WE INTEND,
NEVERTHELESS, TO REDOUBLE THOSE EFFORTS.

MR. CHAIRMAN, WHATEVER FORM TERRORISM TAKES, WHATEVER
ITS SOURCE, WHATEVER ITS CLAIMED PURPOSES, WHEREVER IT IS
PRACTICED, IT IS AN OUTRAGE AGAINST THE VERY BASIS OF
CIVILIZATION. WE WILL DO EVERYTHING WITHIN OUR POWER
AND WITHIN OUR LAWS TO EXTERMINATE THIS VICIOUS WEED
WHEN IT SPROUTS ON OUR SOIL. AND WE EXPECT EVERY OTHER NATION
TO DO LIKEWISE.

THANK YOU, MR. CHAIRMAN. UNQUOTE EXPRESSING OUTRAGE OVER
APRIL 2 SHOOTING, QUOTING THE PRESIDENT'S STATEMENT,
AND PROMISING A VIGOROUS EFFORT TO BRING THE CRIMINALS
TO JUSTICE AND PREVENT RECURRENCES. HE REJECTED HOWEVER
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SOVIET CHARGES OF US LAXNESS AND PERMISSIVENESS. IN A LATER
INTERVENTION SCRANTON REFERRED TO FREE SPEECH GUARANTEES
BUT SAID THAT ENTIRE QUESTION OF POSSIBLE CRIMINAL LIABILITY
FOR THREATENING PLACARDS WAS BEING REVIEWED.

2. OTHER STATEMENTS WERE MADE BY BYELORUSSIA, MONGOLIA
(WHICH COMPLAINED OF SOME TROUBLES AT ITS OWN MISSION),
BULGARIA, FRANCE (THOUGHT US AUTHORITIES SHOULD DO MORE,
BUT ASKED FOR UNDERSTANDING ABOUT PROBLEM OF DEALING WITH
SUCH CRIMES IN AN OPEN SOCIETY, AND POINTED OUT THAT
AMERICAN DIPLOMATS TOO WERE VICTIMS OF CRIMES IN OTHER
CAPITALS), COSTA RICA, IVORY COAST, AND IRAQ (URGED
THAT ORGANIZATIONS WHOSE MEMBERS COMMIT CRIMES AGAINST
DIPLOMATS BE BANNED).

3. AFTER SOME MINOR SKIRMISHES OVER LANGUAGE, COMMITTEE
AGREED BY CONSENSUS ON TEXT OF DRAFT DECISION CONDEMNING
THE SHOOTING AND CALLING FOR STRONG ENFORCEMENT MEASURES.
QUOTE THE COMMITTEE ON RELATIONS WITH HOST COUNTRY,

NOTING WITH EXTREME CONCERN THE GRAVE ACT OF TERRORISM
COMMITTED BY FIRING, ON 2 APRIL, 1976, AT THE PERMANENT
MISSION OF THE USSR TO THE UN,

ALARMED BY THE FACT THAT, DESPITE THE RESOLUTIONS ADOPTED
BY THE GENERAL ASSEMBLY AND THE COMMITTEE'S OWN RECOMMENDA-
TIONS AND DECISIONS, TERRORIST AND OTHER ACTS OF VIOLENCE,
HARASSMENT AND ATTACKS ARE CONTINUALLY BEING COMMITTED
AGAINST MISSIONS ACCREDITED TO THE UNITED NATIONS,

DEEPLY CONCERNED THAT SINCE 1971 THE PERMANENT MISSION OF
THE USSR TO THE UN FOUR TIMES HAS BEEN SUBJECTED TO FIRING
AND THAT THOSE RESPONSIBLE FOR THESE CRIMINAL ACTS HAVE NOT
YET BEEN APPREHENDED, PROSECUTED AND PUNISHED,

EXPRESSING ITS DEEP SYMPATHY WITH THE PERMANENT MISSION OF
THE UNION OF SOVIET SOCIALIST REPUBLICS AND ITS PERSONNEL

OVER THE TERRORIST ACT THAT WAS PERPETRATED ON 2 APRIL, 1976,
STRONGLY CONDEMS THE TERRORIST AND OTHER UNLAWFUL ACTS
PERPETRATED AGAINST THE PERMANENT MISSION OF THE USSR TO
THE UN AND ITS PERSONNEL AS WELL AS THOSE COMMITTED AGAINST
ANY OTHER MISSIONS AS FUNDAMENTALLY INCOMPATIBLE WITH THE
STATUS OF MISSIONS, AND THEIR PERSONNEL UNDER INTERNATIONAL
LAW,

URGES THE HOST COUNTRY TO TAKE ALL THE NECESSARY AND
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APPROPRIATE MEASURES TO APPREHEND, PROSECUTE AND PUNISH
THOSE RESPONSIBLE FOR THE CRIMINAL ACTS COMMITTED AGAINST
MISSIONS, ACCREDITED TO THE UN IN ORDER THAT THOSE WHO PLAN
OR COMMIT ANY CRIMINAL ACTS AGAINST DIPLOMATIC MISSIONS AND
THEIR PERSONNEL SHOULD IN NO WAY GO UNPUNISHED,

URGES THE HOST COUNTRY TO TAKE URGENTLY ALL THE NECESSARY
MEASURES AND ENSURE THAT THEY ARE EFFECTIVELY IMPLEMENTED IN
ORDER TO SAFEGUARD THE SECURITY OF MISSIONS AND THEIR PER-
SONNEL, THEREBY FACILITATING NORMAL CONDITIONS FOR THE FUN-
CTIONING OF MISSIONS,

URGES THE HOST COUNTRY TO TAKE EFFECTIVE MEASURES TO
PROHIBIT UNLAWFUL ACTIVITIES OF THE ORGANIZATIONS THAT ORGANIZE,
INCITE, ENCOURAGE OR ENGAGE IN PERPETRATION OF TERRORIST
OR OTHER ACTS OF VIOLENCE AGAINST MISSIONS TO THE UNITED
NATIONS,

URGES THE HOST COUNTRY TO ENSURE, AS APPROPRIATE,
EFFICIENT POLICE PROTECTION OF THE PREMISES OCCUPIED BY
MISSIONS,

TAKES NOTE OF THE ASSURANCES GIVEN BY THE PRESIDENT OF
THE USA, AS WELL AS THE USA REPRESENTATIVE IN THE COMMITTEE
THAT EVERY EFFORT IS BEING MADE BY THE AUTHORITIES OF THE
HOST COUNTRY TO PREVENT THE REPETITION OF ANY CRIMINAL
ACT AGAINST THE MISSIONS ACCREDITED TO THE UNITED NATIONS IN
THE FUTURE. UNQUOTE
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: COMMITTEE MEETINGS, POLICE PROTECTION RIGHTS, DIPLOMATIC PERSONNEL, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 07 APR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976USUNN01419
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760130-0380
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760485/aaaacuzu.tel
Line Count: 316
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION IO
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: blochd0
Review Comment: n/a
Review Content Flags:
Review Date: 24 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <24 MAY 2004 by SilvaL0>; APPROVED <28 JAN 2005 by blochd0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: HOST COUNTRY COMMITTEE MEETING ON SOVIET SECURITY COMPLAINTS.
TAGS: PFOR, ASEC, UR, US, UN
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006